Improvement Res. No. 974-1958

For the condemnation of right of way for utility purposes of a strip of land 14' in width being located west of Thompson Avenue and running from the south property line of Huestis Avenue to the south property line of Lot No. 3, Thompson's Out Lot (see sheet attached to Resolution for complete description)

Resolution Adopted:

August 18, 1958

Confirmed:

ALL ACTION RESCINDED
SEPT. 25, 1958

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Report Completed:

Assessment Roll Confirmed:

974

DECLARATORY RESOLUTION NO. 974-1958

B.O. ~~146~~ 375 ('58)

For the condemnation of right of way for utility purposes of a strip of land fourteen (14) feet in width being located west of Thompson Avenue and running from the south property line of Huestis Avenue to the south property line of Lot No. 3, Thompson's Out Lot. (See sheet attached to Resolution for complete description)

PLANS ORDERED: June 17, 1958

ADOPTED: August 18, 1958

ADVERTISE: August 29 and September 5, 1958

HEARING ON CONFIRMATION: Thurs., Sept. 18, 1958, 7:30 p.m. Item o T.U.A. 9/18/58 9/17/58

To secure additional Engg. Infor.

CONFIRMED:

ALL ACTION RESCINDED SEP 25 1958

ASSESSMENT ROLL ORDERED:

ASSESSMENT ROLL APPROVED:

HEARING ON CONFIRMATION OF ASSESSMENT:

NOTICES SERVED:

ASSESSMENT ROLL CONFIRMED:

File Reso

CAT. NO. 1-0166

Condemnation of right of way for utility purposes of a strip of land fourteen feet in width being located west of Thompson Ave. and running from the south property line of Huestis Ave., etc.

4-17-58 Plans ordered

August 18-58 Adopted (hearing on Confirmation -(9-18-58, 7:30 p.m.) advertised PO's Aug. 29 & Sept 5

9-18-58: T-U A. to secure additional engr. information

9-25-58: 4 A R. for reason there is no easement necessary inasmuch as all action was rescinded on Sewer Res # 640-1958

Thompson, Huestis, etc. CONDEMNATION B.O.375(58) Dec. Res. 974-58

TYPIST PLEASE NOTE—THIS SCALE CORRESPONDS TO TYPEWRITER (PICA) SCALE—SET PAPER GUIDES SO THAT CARD SCALE WILL REGISTER WITH MACHINE SCALE WHEN CARD IS TURNED INTO WRITING POSITION. START INDEX THREE (3) POINTS FROM LEFT EDGE OF CARD. USE OTHER POINTS OF SCALE FOR OTHER DIVISIONS OF VISIBLE TITLE. SET TABULATORS TO INSURE PERFECT ALIGNMENT OF EACH DIVISION OF INFORMATION. FOLD BACK OR REMOVE STUB AFTER TYPING. USE NEW TYPEWRITER RIBBON.

KARDEX VISIBLE DIVISION REMINGTON RAND 11 DIVISION OF SPERRY RAND CORPORATION PRINTED IN U. S. A.

CAT. NO. 1-0166

DECLARATORY RESOLUTION No. 974- 1958

Fi. D. 375

In the [redacted] - Condemnation of right of way for utility purposes

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is deemed and deemed necessary to

All as shown by a plat of such proposed [redacted] - Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana.

The cost of said [redacted] Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such [redacted] - Condemnation of right of way for utility purposes is described as follows:

[redacted]

ALL ACTION RESCINDED
SEP 25 1958

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any part or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

[redacted] of the above described Street and alleys shall be subject to an [redacted] City of Fort Wayne, Indiana, [redacted] the maintenance of sewers, [redacted] mains, electric pole lines and conduits, telephone and telegraph [redacted]

All streets, alleys and lands affected by the above described

ADOPTED THIS _____ DAY OF _____ 19 _____.

Attest:
Secretary Board of Public Works.

Board of Public Works.

OFFICE OF
BOARD OF PUBLIC WORKS

FORT WAYNE 2, INDIANA

9.
8-18

39-48-17

B.O. 146 (58)

Date June 17, 1958

To Mr. Edward Green, City Engineer Att: Sewer Dept.

Subject Sewer Res. 640-1958 Huestis Ave-Thompson Ave. Sewer

In the matter of Sewer Resolution 640-1958, Huestis Avenue and Thompson Avenue Sewer, it will be necessary for you to provide us with the description of the easements required so we may set up proceedings for condemnation. The resolution was approved and adopted, which is necessary before we can start condemnation proceedings.

Prepare a Declaratory Resolution.

S/ B. J. Swanson
S/ John Cooper
S/ Orin M. Darling
BOARD OF PUBLIC WORKS

JLH:s

Attach. Dwg. and Plat

Signed

Reply:

August 8, 1958

Declaratory Resolution, drawing and property ownership list completed and attached.

Edward Green
Edward Green,
City and Administrative Engineer

EG/mkh
attachs.

agenda 8-12-58

Signed

SENDER: REMOVE & KEEP 3RD COPY - RECEIVER: ANSWER & KEEP 2ND COPY - RETURN 1ST COPY

39-227-14

B. O. #375-'58

Sept. 25, 1958

Mr. Edward Green, City Engineer

Declaratory - 974-1958 Thompson Ave.

All Action was Rescinded.

E.J. Gallmeyer
John Cooper
Orin M. Darling
BOARD OF PUBLIC WORKS

c

City of Fort Wayne, Indiana

September 17TH, 1958

To the Board of Public Works of the City of Fort Wayne, Indiana:

Gentlemen:

The undersigned, owners of real estate abutting on the following described real estate:

> A strip of land 14 feet in width being located west of Thompson Avenue and running from the south property line of Huestis Avenue to the south property line of Lot No. 3, Thompson's Out Lots, which said strip of land is a part of Lots No. 2 and 3, Thompson's Out Lots, in the Southeast quarter of section 10 and the Northeast quarter of Section 15, Township 30 North, Range 12 East,

respectfully remonstrate against any further action of the Board of Public Works in the matter of Improvement Resolution No. 974-1958, providing for the condemnation of a right-of-way for utility purposes over the real estate described hereinabove.

Lawrence C. Meyer
Dunten, Arnold & Buchman
by Frederick A. Buchman
Attorneys for Remonstrators
Lucille F. Meyer
Horace C. Horn
Rosa M. Horn
Lawrence D. Bishop
Frances P. Bishop
Charlotte A. Reith
George W. Marks Jr.
Virginia F. Marks
Philip B. Grosvenor
by H. Lloyd Grosvenor
his attorney in fact
Ida Louise F. Grosvenor
by H. Lloyd Grosvenor
her attorney in fact

RECEIVED
BOARD OF PUBLIC WORKS
CITY OF FT. WAYNE, IND.
SEP 17 1958

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That we, PHILLIP B. GROSVENOR and DE LORIS E. GROSVENOR, the joint owners of real property described as 2514 THOMPSON AVENUE, in the City of Fort Wayne, Allen County, Indiana, do hereby jointly and severally appoint H. LLOYD GROSVENOR our attorney, for us and each of us, and in our names and stead, to oppose himself or in association with others, the installation of sewer pipes or systems on or under said real property or to grant to the City of Fort Wayne, Indiana, or the County of Allen, Indiana, the right or easement to install sewer pipes or sewer systems on or under said real property, as in his judgment seems best, and to demand and receive consideration and compensation for the granting of such rights or easements by imminent domain or for injury to said real property resulting or likely to result from installation of sewer pipes or systems on or under said real property, and to do every thing and act necessary to exercise the aforesaid powers including the execution of papers and grants, appointment of counsel and the bringing of actions.

In testimony whereof, we have hereunto set our hands the 15th day of September, 1958.

In the presence of:

Edward J Strueyl

Notary Public Scott County

Phillip B Grosvenor
PHILLIP B. GROSVENOR

De Loris E. Grosvenor
DE LORIS E. GROSVENOR

DUNTEN, ARNOLD & BECKMAN
LAWYERS
802 FORT WAYNE BANK BUILDING
FORT WAYNE, INDIANA
A-9446

DUNTEN, ARNOLD & BECKMAN
LAWYERS
ANTHONY 9446

974

DECL. 974

#4919.50

Gerald J. Ankenbruck DR 534 p 200

That portion of Thompson's Out lot 3, lying West of Thomp. Ave in the C of FW. and within the SE 1/4 Sect 10, T 30 N, R 12 E in A C Ind., by metes and bounds described as follows: Commencing on the W line of Thomp Ave at at point situated 248' N of the S line of said O L 3, thence continuing N on the W line of said Ave, 130 ft; thence W and parallel to the S line of said O L 3, a distance of 200'; Thence S and parallel to the W line ~~of~~ said Ave 130 ft; thence E 200 ft to the place of beginning

4,919.50

Lewis G. Reith + Charlotte A. Reith 397 p 218

Beg. at the NE corner of the lot or parcel owned by William J. Vesey, and occupied by him as a homestead, thence N along the W line of Thomp Ave a dist of 110 ft; thence W on a line parallel to the N. line of Wm J V's lot for a dist of 200 ft.; thence S. on a line parallel w/ the W. line of T. Ave for a dist of 110 ft; thence E along the N line of said Wm J V's lot a dist of 200 ft to the place of beg., all in T's O. L. No. 3 in the SE 1/4 S 10, T 30 N, R 12 E A C Ind.

Lawrence D. and Frances P. Bishop 410 p 72

That part of Lots 2 and 3 of T's Partition of O L. in the SE 1/4 S 10, T 30 N, R 12 E described as follows:

Commencing at a pt. in the W line of T. Ave 28 ft N of the intersection of the S line of said Lot 2 with said W line of said T. Ave ~~[illegible] ft~~; thence S on said W line of said T. Ave 120 ft; thence W on a line para w/ said S line of said Lot 2, 200 ft to a post; thence N on a line para. to said W line of said T. Ave 120 ft to a post; thence E para. w/ said S line of said Lot 2, 200 ft to the point of beginning.

1 am

Phillip Ross Thompson and Robert E. Thompson 492 p. 327

A part of Lot 2 of the Subd. laid out by commissioners in dividing the lands of Lewis G Thompson, deceased, according to the report of said Comm. appearing in D Rec. 45, at pages 131-136, in clerk's, records of A.C. Ind., which parcel is described as follows:

Commencing at a point in the E line of Lot 27 of Thompson's Third Addition to the C of FW, which point is 100 ft S of the NE corner of said Lot 27; thence S along the E line of said Lot 27 and the prolongation of the same S a dist of 50 ft to an iron pin in the S line of a 10 ft alley; thence E. para. to the S. line of said Lot 2, 195.55 ft, more or less, to an iron pin in the W line of T. Ave.; thence N along the W line of T Ave 50 ft to an iron pin; thence W 195.55 ft, more or less to the place of beg., being the S. 50 ft of the parcel of real estate described in a deed dated 1/20/39, recorded in DR 362, at page 463 records of A.C. Ind.

George W Marks, Jr. and Virginia F. Marks 453 p 335

Part of T's O.L. # 2 in the S 1/2 of SE 1/4 S10 T30 N, R12 E A.C. Ind described as follows, to wit:

Commencing at a point 140 ft W of the W line of T. Ave in C of FW and 17 1/2 ft S. of the established ℄ of the pavement on Huestis Ave; thence continuing S 100 ft on a line para to the W. line of said T. Ave; thence W 60 ft para. to the est. ℄ of the pavement on H. Ave; thence N. 100 ft on a line para to the W line of T. Ave; thence E to the place of beg.

B0. 375

~~Improvement~~ DECLARATORY Resolution No. 974-1958 For ~~Improving~~ THE CONDEMNATION OF RIGHT OF WAY FOR UTILITY PURPOSES OF A STRIP OF LAND FOURTEEN (14) FEET IN WIDTH BEING LOCATED WEST OF THOMPSON AVENUE AND RUNNING FROM THE SOUTH PROPERTY LINE OF HUESTIS AVENUE TO THE SOUTH PROPERTY LINE OF No. 3, THOMPSON'S OUT LOT.

	OWNER'S NAME	ADDRESS	R. P. O.	NUMBER OF LOT	NUMBER OF BLOCK	NUMBER OF O. L.	DESCRIPTION
1	MARKS, GEO. W. & SUSIE M.			26, 27			THOMPSONS 3rd ADD.
2	" , GEO. W. Jr. & VIRGINIA F			2 - W. 60' of E. 200' of			THOMPSON'S OUT LOT
3			N. 100' of S. 249' W. of				
4			THOMPSON AVE.				
5	HORN, HORACE C. & ROSA M.			2 - N. 50' of E. 140'			"
6			W. of THOMPSON AVE				
7	ERVIN, ROBERT O. & ELLEN			2 - S. 47.5' of N. 97.5' of E. 140'			"
8			W. of THOMPSON AVE.				
9	GROSVENOR, PHILLIP B. & DELORIS E.			2 - N. 50' of S. 149' of E. 200'			"
10			W. of THOMPSON AVE.				
11	VESEY, Wm. J. "EST" & MARGARET S.			2 - N. 66' of S. 94' of E. 200'			"
12			& W. 20' of E. 220' of S. 94'				
13			W. of THOMPSON AVE.				
14	THOMPSON AVENUE REALTY CO. INC.			2 - S. 94 exc. E. 220'			"
15			W. of THOMPSON AVE.				
16	BISHOP, LAWRENCE D. & FRANCES P.			2 - S. 28' of E. 200'			"
17				3 - N. 92' of E. 200'			
18			W. of THOMPSON AVE.				
19	REITH, LEWIS G. & CHALOTTA A.			3 - S 110 of N. 202 of E. 200			"
20			W. of THOMPSON AVE.				
21	THOMPSON AVENUE REALTY CO. INC.			3 - N. 412' exc. E. 220'			"
22			W. of THOMPSON AVE.				
23	VESEY, Wm J. "EST" & MARGARET S.			3 - S. 80' of N. 282' of E. 200'			"
24			& W. 20' of E. 220' of N. 412'				
25			W. of THOMPSON AVE.				
26	ANKENBRUCK, GERALD J.			3 - N. 130' of S. 378' of E 200'			"
27			W. of THOMPSON AVE.				
28	MEYER, LAWRENCE C.			3 - N. 164' of S. 248'			"
29			W. of THOMPSON AVE.				
30	MEYER, WILBERT H. F.			3 - S. 84'			"
31			W. of THOMPSON AVE				
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62	NOTICES MAILED OR ~~GIVEN~~						
63	Sept. 7, 1958						
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65	By Beryl R.						
			TOTAL				

12

974